
**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE: MERCK & CO., INC. : Civil Action No. 2:05-cv-02367-SRC-CLW
SECURITIES, DERIVATIVE & :
"ERISA" LITIGATION : MDL No. 1658 (SRC)
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ORDER

AND NOW, this _____ day of _____ 2013, upon consideration of the Motion of Loren Laine, M.D. to Quash Subpoena or, in the Alternative, for Protective Order, it is ORDERED that the Motion to Quash is GRANTED and the Subpoena to Testify at a Deposition in a Civil Action to Non-Party Dr. Loren Laine, dated May 8, 2013, is hereby QUASHED.

Dr. Laine's Motion for Protective Order is DENIED AS MOOT.

, J.

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**PROTECTIVE ORDER
(IN THE ALTERNATIVE)**

AND NOW, this _____ day of _____ 2013, upon consideration of the Motion of Loren Laine, M.D. ("Dr. Laine") to Quash Subpoena or, in the Alternative, for Protective Order, and the Response thereto of Plaintiffs in the underlying Multidistrict Litigation Proceedings ("MDL"), it is hereby ORDERED as follows:

1. Dr. Laine's Motion for Protective Order is GRANTED.
2. Plaintiffs' interrogation of Dr. Laine at deposition is limited to fact issues.
3. Plaintiffs may not pose questions that solicit expert testimony, e.g., questions seeking opinions from Dr. Laine on scientific or medical matters that may be at issue in the litigation. This Order applies, but is not limited to, Dr. Laine's knowledge regarding research, studies, and data relating to VIOXX.
4. Dr. Laine's motion to quash is DENIED without prejudice.

, J.